

**Columbia River Treaty 2014-2024 Review
Stakeholder Listening Session
March 10, 2011; 1:00-4:00 p.m.
Portland, Oregon**

Summary of Session Discussions

Overview

Under the Columbia River Treaty, Canada and the United States jointly manage the Columbia River for power generation and flood control as it flows from British Columbia into the United States. The United States (U.S.) Entity, designated to implement the Treaty for the U.S., is comprised of the Administrator of the Bonneville Power Administration as Chairman and the Division Engineer of the U.S. Army Corps of Engineers Northwestern Division as Member.

The U.S. Entity is currently in the process of conducting a review to evaluate the future of the Columbia River Treaty after 2024. The Columbia River Treaty 2014/2024 Review (Treaty Review) establishes a framework for interested parties to collaborate with the U.S. Entity as it studies and evaluates alternatives needed to better understand the implications of post-2024 Treaty scenarios. By late 2013, the U.S. Entity will make a recommendation to the U.S. Department of State on whether it is in the best interest of the U.S. to continue, terminate, or seek to amend the Treaty.

The Treaty Review Sovereign Participation Process establishes a framework for sovereign parties to collaborate and coordinate with the U.S. Entity in the process of conducting technical studies and evaluating alternatives needed to better understand potential Treaty futures. A broader group of regional stakeholders (outside of the sovereigns) will be invited to regularly participate in both the formation and analysis of the alternatives.

On March 10, 2011, the U.S. Entity sponsored a half-day “listening session” to hear from regional stakeholders about their interests and desired outcomes for the Treaty Review. Approximately 60 stakeholders representing a wide variety of interest groups attended the session.

Steve Oliver from the Bonneville Power Administration (BPA) and Witt Anderson from the U.S. Army Corps of Engineers (USACE) serve as Coordinators for the U.S. Entity and jointly oversee the Treaty Review process. Jim Barton (Chief, Columbia Basin Water Management Division, USACE) sat in for Witt Anderson during the listening session.

Structure for the Meeting

The listening session was preceded in the morning with a Treaty overview presentation from Nancy Stephan (Treaty Review Program Manager, Bonneville Power Administration) and Matt Rea (Treaty Review Program Manager, U.S. Army Corps of Engineers). A copy of their Powerpoint presentation is posted on the Treaty Review website at <http://www.crt2014-2024review.gov/>.

In the afternoon, Jim Barton and Matt Rea outlined the process that has been established for the regional sovereigns and stakeholder to participate in the Treaty Review. Part of this process includes the formation of a Sovereign Review Team (SRT). The “sovereigns” participating on the team include representatives from the states of Oregon, Washington, Idaho and Montana, 15 Northwest Tribes (5 Representatives on the Sovereign Review Team), National Marine Fisheries Service, U.S. Fish and Wildlife Service, U.S. Bureau of Reclamation, U.S. Army Corps of Engineers, Bonneville Power Administration, Bureau of Land Management, Environmental Protection Agency, U.S. Forest Service, U.S. Geological Service, Bureau of Indian Affairs, and National Park Service.

The SRT meets monthly to review and discuss policy-related issues. The SRT is ultimately responsible to deliver a recommendation to the U.S. Entity regarding the future of the Treaty. Providing technical, modeling, and analytical support to the SRT is the Sovereign Technical Team (STT). The STT is made up of technical representatives from the same organizations and entities participating on the SRT. It is the responsibility of this team to organize and review the technical studies and data that will inform the SRT.

After the introductory presentation, participants divided into eight interest-based discussion groups, which included: Ecosystem-Based Function, Fish and Wildlife; Ecosystem-Based Function, Cultural Resources; Ecosystem-Based Function, Water Quality; Hydropower; Navigation; Water Supply; Flood Risk; and Irrigation.

Each of the discussion groups were asked to share their “desired outcomes” for the Treaty Review process, as well as obstacles they could see to a successful Treaty Review, and any concerns they might have about the Review process.

Discussion Results

Common Themes

Regardless of the interest-based topic under discussion, all of the groups shared some common themes. The common discussion themes are summarized below into the two categories that emerged: process and technical.

Process Comments

- All of the discussion groups asked about the overall sovereign/stakeholder process. They had questions about the level of involvement from regional stakeholders. They asked that the process be fully transparent, and they requested that the non-sovereign stakeholders be allowed to fully participate in the scoping, metrics, and methodologies associated with those studies. They asked that stakeholders be able to observe the analysis conducted as part of the Treaty Review, and understand the outcomes that are meaningful to the varied interests throughout the region.
- Those attending also wanted clarity on the schedule for the process, as well as their ability and timing to have direct influence on the U.S. Entity. *Where is our opportunity to assist the Entity in its recommendation to the U.S. State Department?*

- Some of those attending expressed concern about hydropower, flood control, navigation and irrigation interests being represented on the Sovereign Review Team. They noted that Steve Oliver and Witt Anderson were also representing the U.S. Entity and serving as co-chairs of the SRT, and wondered if their interests would be fully represented with Steve and Witt wearing multiple hats. They want to make sure everyone is heard as the process unfolds.
- Several groups expressed concern about the geographic scope of the study area, and were concerned that it might be difficult for all interests to be fairly represented, given the number of issues and stakeholders involved. *How can all of these be accounted for, and their opinions used to influence the process?*
- Numerous questions were raised regarding the schedule for Treaty Review, with concerns raised about the relatively short timeframe (end of 2013) by which a recommendation is due to the U.S. State Department.
- A number of attendees asked questions about Canada's interests in the Treaty Review process, and wondered what Canada's position might be regarding the treaty parameters. One question, for example, was the degree to which Canada would be willing to discuss and/or negotiate on environmental issues.

Technical Comments

- Although the listening session was structured around a range of stakeholder interests, those attending the session also suggested a number of "bigger questions" that should be addressed through the study process. These framework questions, they felt, would then help to focus the individual study areas. Participants identified these larger questions: *Does the existing treaty fundamentally make sense for our region? What are the benefits of the current treaty? What is it costing us now? What happens if the treaty goes away? With no treaty in place, how will our flood risk and other responsibilities change, and what will those costs be? What about issues outside of flood risk management and hydropower? How are those accounted for under the current Treaty, and what might be changed in those areas if the Treaty is changed?*
- Regardless of the subject area, each of the groups expressed concerns about how the studies would be conducted: *what existing information will be used; what are the parameters for the studies; what are the metrics?*
- All of the groups acknowledged the importance of balancing their interests with the other interests in the room. Environmental advocates recognized the importance of hydropower and flood risk management. Hydropower and irrigation interests acknowledged the importance of fisheries and habitat protection. Flood risk and navigation representatives also described the importance of achieving balance between all of the interests in the Treaty Review process.
- There were a number of questions about the way in which study information would be funneled into, and used by the SRT and STT as their recommendations are developed.

- The groups had questions about the way in which existing data and studies would be used, and the process for getting that information into the hands of the Sovereign Review Team and Sovereign Technical Team.
- The “called upon” provision of the Treaty means that, after 2024, Canada will be obligated to provide flood control only when “called upon” and only after the U.S. has exhausted all of its own flood control mechanisms. This was of concern to all of the discussion groups, with participants believing that this provision inserts a number of significant “unknowns” regarding the way in which the Columbia River will be operated in the future.

Subject Matter Discussions

In addition to the common themes highlighted above, each of the discussion groups shared desired outcomes, questions, and concerns related to their specific subject matter:

Ecosystem-Based Function: Fish and Wildlife

- This group expressed concerns with the physical limitation of the system, noting that both the U.S. and Canada “can only spill so much.” They also recognized that there are many competing interests in the Treaty Review process, as well as a number of unknowns. This group asked: *What is the universe of possibilities for ecosystem improvements and how does the Treaty work with U.S. operations and other U.S. ecosystem opportunities?*
- This discussion group urged a maximum level of system flexibility in order to balance hydropower and flood risk needs with fish and wildlife habitats. There were concerns expressed about the effects of the treaty on the bull trout population. And, this group noted that there is an inventory of past work and efforts to build on as part of the Treaty Review.

Ecosystem Based Function: Cultural Resources

- This discussion group acknowledged that it is difficult to assess the impacts of the Treaty on cultural resources if there is not an inventory of what is currently available. Many of these cultural resources are not public knowledge. It is important to determine what types of impacts there may be on these resources.
- Regulations and restrictions that protect cultural resources must be fully represented in any modeling work. The group had questions about the criteria that will be used to determine the value or detriment to both fish populations and cultural resources. Participants noted that currently there is not widespread agreement among stakeholders/sovereigns on either these criteria or the modeling.

Flood Risk Management

- Participants in this discussion group said that a desired outcome for them in the Treaty Review would be a common agreement on the need for an integrated approach for analyzing and managing flood risk. They acknowledged that flood risk has to be balanced with other river functions such as irrigation, further noting that existing obligations for irrigation and water rights must be honored.

- The group urged that existing information be used wherever possible, for example, the Corps of Engineers work in the Tri-Cities. They felt it was important for resiliency to be built into the system. And, as the alternatives are analyzed, the group asked that the technical work fully describe both the monetary and operational shifts that could be anticipated under each of the alternatives/scenarios.

Irrigation

- Those attendees representing irrigation interests expressed concern about future uncertainties. They wanted assurances for irrigation supply, and also wondered if there might be additional storage opportunities (leasing or buying more space) in Canada or elsewhere. They wanted to make sure that future Treaty negotiations would not result in any adverse effects to the Bureau of Reclamation's water rights and to all of the certified water rights associated with the Columbia River Basin.
- This discussion group said they hope the upcoming studies will result in a full and accurate analysis of the costs associated with the Treaty, the water supply available, pumping reliability, reservoir elevations, and the inclusion of Banks Lake reservoir data, which is not currently part of the model.
- When discussing possible obstacles to a successful Treaty Review process, the irrigation group noted that changes to flood risk management could negatively impact irrigation, and that politics might play a role in decisions. They also wanted to make sure that the wisdom and knowledge from the Bureau of Reclamation is fully and meaningfully used by the Sovereign Review Team.

Water Supply

- When describing their desired outcomes, the participants in this discussion group said that they wanted to know, and improve upon, the "shape" of water supply delivery. They wanted clarity on the availability of water above and beyond the current Treaty uses of flood control and hydropower. They want to explore if there is a more optimal use of water resources, and whether or not there are limits to the water supply being shaped differently. This group also wanted to ensure that there is an equitable distribution of water to the United States and various stakeholders.
- This group discussed a number of technical details, noting that it is important to ensure effective data collection and monitoring of snowpacks, for example. They are looking for models with better granularity (daily or even hourly time-steps), and hope to identify target flows within the general capacity of the system.
- These attendees felt it was important to establish a drought strategy for management of the Columbia River system. They also wondered how power benefits might best be optimized – that is, the same or more power production out of the current amount of water available. These stakeholders said that one of their desired outcomes *would include an analysis of the highest and lowest flows that would be sustainable in each season of the year, to develop a baseline flow pattern that would best distribute the water.*

- The potential impacts of climate change were discussed extensively by this group. They wanted to make sure it is fully accounted for in any future modeling and analysis. They wanted to answer this question: *Is climate change an excuse to build more storage?* And, they want to make sure the system is flexible enough to change existing reservoir operations to respond to climate change impacts.

Hydropower

- Hydropower interests at the listening session asked that the numbers and data used for the evaluation of alternatives (economics and physical impacts, for example) be both transparent and consistent. Particularly important for this group is the fact that the Mid-Columbia utilities currently pays 30% of the Canadian entitlement, further emphasizing their strong desire for full transparency in the Treaty Review process.
- Cost was another significant issue for this group, with stakeholders asking for a comprehensive cost/benefit analysis of the current Treaty and entitlements, as well as a thorough analysis of the costs that would be incurred without the Treaty.
- The impacts to fish were another issue of concern. Not only did the two hydropower discussion groups indicate a need to balance the needs of fish with power production; they also noted that extensive investments in fisheries habitats had already been made, and they do not want to see these investments downgraded in the future.
- As with other groups, hydropower interests want to make sure climate change is addressed in the process. They also believe there could be opportunities to improve the transmission system as the treaty is reviewed.

Navigation

- Navigation interests at the session emphasized that navigation is protected by the United States Constitution, and that a portion of the Columbia River is a congressionally-authorized navigation channel. This should be viewed as a constraint on the upcoming studies, and cannot be taken away by the U.S. Department of State. Columbia River navigation provides both economic and environmental benefits to the region as a whole.

Next Steps

This summary of the listening session will be distributed to all of those who attended the meeting. The Sovereign Review Team and Technical Team members attended the session and benefited by the direct and extensive level of engagement and comment from stakeholders.

The results of this session will be used to inform the work of the Review and Technical teams as they embark on their work. Additional meetings and sessions for stakeholders will be conducted throughout the Treaty Review process.